

AUG 25 2006

Attorney's Docket No.: 13906-139001
Client's Ref. No.: 2003P00611

US01

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Number of pages including this page 3

Applicant : Wu et al.
Serial No. : 10/780,173
Filed : February 17, 2004

Art Unit : 2161
Examiner : Safet Metjahic

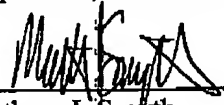
Title : Filtering Process for Information Retrieval Systems

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

A Response to Restriction Requirement (2 pages) dated August 25, 2006 is attached.

Respectfully submitted,

Date: August 25, 2006


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Attorney's Docket No.: 13906-139001 / 2003P00611 US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wu et al. Art Unit : 2161
Serial No. : 10/780,173 Examiner : Safet Metjahic
Filed : February 17, 2004 Conf. No. : 1739
Title : FILTERING PROCESS FOR INFORMATION RETRIEVAL SYSTEMS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the restriction requirement mailed August, 8, 2006, Applicants elect Group 2, with traverse. In particular, Applicants respectfully traverse the restriction requirement because the Patent Office has failed to provide the required justification for the restriction requirement.

"Under [35 U.S.C. 121], the claims of an application may properly be required to be restricted to one of two or more claimed inventions only if they are able to support separate patents and they are either independent ... or distinct..." MPEP § 803. (Emphasis added.) "If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions." *Id.* (Emphasis added.) The particular reasons on which the Patent Office relies for holding that the inventions as claimed are either independent or distinct should be concisely stated. A mere statement of conclusion is inadequate. MPEP § 808.01. (Emphasis added.)

The present Office Action does not meet the above-quoted requirements. The Patent Office has not provided any explanation as to why search and examination of all claims in the application can be made without serious burden. To the extent that the Patent Office relies on

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Applicant : Wu et al.
Serial No. : 10/780,173
Filed : February 17, 2004
Page : 2 of 2

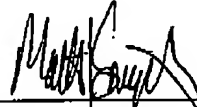
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"separate classification" under MPEP § 803 as a *prima facie* showing of serious burden, the Patent Office has not provided an "appropriate explanation of separate classification, or separate status in the art, or a different field of search." Accordingly, Applicants respectfully submit that the restriction requirement is improper and requests that it be withdrawn.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: August 25, 2006


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